

**MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING
2829 UNIVERSITY AVE. SE
MINNEAPOLIS, MN 55414-3246**

September 13, 2014

The Minnesota Board of Medical Practice met on September 13, 2014, at its offices in Minneapolis, Minnesota.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Keith H. Berge, M.D., President; Mark A. Eggen, M.D., Vice President; V. John Ella, J.D., Secretary; Sarah L. Evenson, J.D., M.B.A.; Dr. Eduardo T. Fernandes; Rebecca J. Hafner-Fogarty, M.D., M.B.A.; Subbarao Inampudi, M.B., B.S., FACR; Irshad H. Jafri, M.B., B.S., FACP; Kelli Johnson, M.B.A.; Gerald T. Kaplan, M.A., L.P.; Patricia J. Lindholm, M.D., FAAFP; Charles F. Moldow, M.D.; and Joseph R. Willett, D.O., FACOI

PUBLIC SESSION

Agenda Item 1: Call to Order and Roll Call

The meeting was called to order by President, Keith H. Berge, M.D. Roll call was taken by Board staff.

Dr. Berge acknowledged that this is Ruth Martinez's, M.A., inaugural Board meeting as Executive Director.

Agenda Item 2: Minutes of the July 12, 2014, Board Meeting

The minutes of the July 12, 2014, Board meeting were received and approved as circulated.

Agenda Item 3: Introduction of New Physician Board Member, Dr. Eduardo T. Fernandes

Dr. Berge introduced and welcomed new Board member Dr. Eduardo T. Fernandes. Dr. Fernandes is an urologist who serves as Chief of Urology at the Minneapolis Veterans Hospital. Dr. Fernandes is from Congressional District Three and fills an At-Large position. Dr. Fernandes replaces Gregory B. Snyder, M.D., DABR, on the Board.

Agenda Item 4: Attorney General's Office Presentation

Jason Pleggenkuhle, J.D., Assistant Attorney General, made a presentation to the Board on the record in administrative proceedings and hearings before the Board. A question and answer session followed.

Agenda Item 5: Licensure and Registration

On recommendation of the Licensure Committee, physician applicants 1 - 240 of the agenda were approved for licensure subject to the receipt of verification documents; applicant numbers 422 and 423 are pending approval in Executive Session.

On recommendation of the Licensure Committee, physician applicants 241 - 247 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 248 - 255 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainers Advisory Council, athletic trainer applicants 256 - 297 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 298 - 370 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Respiratory Therapist Advisory Council, respiratory therapist applicants 371 - 418 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Naturopathic Advisory Council, naturopathic doctor applicant 419 of the agenda was approved for registration subject to receipt of all verification documents.

On recommendation of the Midwifery Advisory Council, midwifery applicants 420 and 421 of the agenda were approved for licensure subject to receipt of all verification documents.

Agenda Item 6: Licensure Committee

- Agenda Item 6a: Minutes of the August 21, 2014, Licensure Committee
Rebecca J. Hafner-Fogarty, M.D., M.B.A., Chair of the Licensure Committee presented the minutes of the August 21, 2014, Licensure Committee Meeting.

Dr. Hafner-Fogarty noted that there are two items that will be resolved in Executive Session.

The minutes and actions of the August 21, 2014, meeting of the Licensure Committee were received and approved as circulated.

Agenda Item 7: Legislative Update

- Because of recent statutory changes in Chapter 214, the Executive Directors Policy Committee is working with the Attorney General's Office to clarify language regarding the 30-day deadline for issuing temporary suspensions for the Health Licensing Boards.
- The Medical Practice Act may be opened in the next legislative session for some housekeeping issues. Also, Joseph Willett, D.O., FACOI, is working with the Minnesota Osteopathic Society and the American Osteopathic Association to clarify some language relating to the Osteopathic licensing examination and Osteopathic Board member appointments to the Medical Board.
- Ms. Martinez has been conversing with various individuals and groups who have requested meetings with the Board. Ms. Martinez will schedule a Policy and Planning Committee meeting in October to discuss various issues, including the expanding role of the advanced practice nurses and "Chronic Lyme Disease."
- At the March 13, 2010, Board meeting, the Board approved a Resolution that included a five-year Moratorium on acting against licensees who engaged in the practice of treating "Chronic Lyme Disease" with long-term antibiotic therapy. The Moratorium will expire in March 2015. At the March 9, 2013, Board meeting, the Board had a lively discussion regarding this issue.
- The Board was recently contacted by Senator John Marty's office requesting a meeting to discuss the issue of treating "Chronic Lyme Disease" with long-term antibiotics. Ms. Martinez requested that Board members discuss this issue in preparation for a possible Board action item at the November 8, 2014, Board meeting.

The Board engaged in a lengthy discussion. Some Board members suggested that, before a decision is made on whether or not to extend the Moratorium on "Chronic Lyme Disease" treatment with long-term antibiotics, an educational presentation at an upcoming Board meeting by an infectious disease expert and a member of the treating community should be scheduled.

Ms. Martinez suggested that it is important for the Board to have some objective assessment of the science.

Dr. Hafner-Fogarty requested that Board staff follow the progress on the legislative commissioned Taskforce on Immigrant IMGs (International Medical Graduates). The Taskforce is charged with developing strategies to integrate refugee, asylees and other immigrant physicians into the Minnesota healthcare delivery system. Ms. Martinez agreed to follow the progress.

Theresa Knoedler, J.D., Policy Counsel for the Minnesota Medical Association (MMA), stated that, at this point in time, the MMA is just an observer of this Taskforce. If there is any legislation as a result of this Taskforce, then the MMA will then decide what action to take.

Agenda Item 8: Executive Director's Report

Ms. Martinez thanked the Board for this tremendous opportunity and is delighted to be serving as its executive director.

Ms. Martinez provided a summary of the Executive Director's Report.

- Elizabeth Huntley, J.D., was promoted to the position of Complaint Review Unit Supervisor. Ms. Huntley previous held the position of Licensure Unit Supervisor with the Board. The Board gave Ms. Huntley a round of applause.
- Ms. Huntley provided a summary of the *Executive Leadership Program for Regulators* that she attended in New Orleans through the Council on Licensure, Enforcement and Regulation (CLEAR).
- Ms. Martinez introduced Matt Heffron, J.D., who replaces Ms. Huntley as a Senior Medical Regulations Analyst. Ms. Huntley held this position prior to being promoted to Licensure Unit Supervisor in April 2014.
- The Licensure Unit Supervisor vacancy has been posted and interviews will be scheduled within the next couple of weeks.
- Former Board member Gregory Snyder, M.D., DABR, and Ms. Martinez presented to the Fairview System Credentials Policy Committee on the topic of the Board's monitoring and oversight practices relating to licensees under order, investigative processes relating to chemical dependency or other health related disorders, the relationship between the Board and the Health Professionals Services Program (HPSP), the monitoring relationship between the Board and hospital credentials committees, and the time required for the Board to complete investigative processes and implement actions.

Dr. Berge expressed interest in a similar presentation to the Mayo Clinic. Ms. Martinez agreed to schedule a presentation at a future date.

Agenda Item 9: Appointment of a Nominating Committee

Three names were submitted for the Nominating Committee:

- Keith H. Berge, M.D.
- Patricia J. Lindholm, M.D., FAAFP
- Gerald T. Kaplan, MA, LP

A motion was made and unanimously passed to accept the recommendation of Drs. Berge and Lindholm and Mr. Kaplan to the Board's Nominating Committee.

Agenda Item 10: Proposed 2015 Meeting Dates

The Board will discuss and finalize meeting dates at the November 8, 2014, Board meeting.

The following dates were proposed:

Regular Board Meetings

January 10
March 14
May 9
July 11
September 12
November 14

Contested Case Hearings

February 7
April 18
June 13
August 8
October 10
December 12

It was noted that the Federation of State Medical Boards' Annual Meeting will be held from April 23-25, 2015, at the Omni Fort Worth Hotel in Fort Worth, Texas. The meeting dates were also included for Board member's planning.

Agenda Item 11: Corrective and Other Actions

Three letters of satisfaction of Corrective Action Agreements were included in the agenda for information only.

Agenda Item 12: Other Business

Mark A. Eggen, M.D., stated that he is on the FSMB Minimum Dataset Taskforce. The goal of this Taskforce is to gather information about the demographics of physicians through-out the country. The Taskforce is working on creating a questionnaire with 10 questions that would be completed during physicians' renewal processes through-out the seventy FSMB member medical boards. This data would provide national information about medical workforce trends and needs.

Minnesota statutes allow the Minnesota Department of Health, Office of Rural Health, to collect data during the physician renewal process. The response rate on on-line renewals has been suboptimal, at approximately 50%. In order to enhance the response rate, the questionnaire has been relocated in the Board's on-line renewal process so that it must be completed before the payment is entered. It is now mandatory for physicians to complete this questionnaire in order to complete a renewal on line; however, there is no consequence if they don't.

Dr. Hafner-Fogarty stated that, when the questionnaire and renewals were done by paper, the response rate was over 90%.

A late addition to the Board agenda was an article, published in Minnesota Physician, authored by Teri Fritsma regarding the Minnesota Department of Health's physician data collection process. The article is complimentary of the Board's assistance in collecting physician workforce data. Dr. Eggen encouraged Board members to read the article

A motion was made and passed unanimously to adjourn from public session.

EXECUTIVE SESSION

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: Keith H. Berge, M.D., President; Mark A. Eggen, M.D., Vice President; V. John Ella, J.D., Secretary; Sarah L. Evenson, J.D., M.B.A.; Dr. Eduardo T. Fernandes; Rebecca J. Hafner-Fogarty, M.D., M.B.A.; Subbarao Inampudi, M.B., B.S., FACR; Irshad H. Jafri, M.B., B.S., FACP; Kelli Johnson, M.B.A.; Gerald T. Kaplan, M.A., L.P.; Patricia J. Lindholm, M.D., FAAFP; Charles F. Moldow, M.D.; and Joseph R. Willett, D.O., FACOI

BRADLEY R. BUELL, M.D.

On recommendation of the Licensure Committee, the Board granted Dr. Buell a license with an approved Stipulation and Order for reprimand signed by Dr. Buell.

MARLENE A. GROSS, P.A.

On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for Indefinite Suspension signed by Ms. Gross.

NEIL C. HENRY, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for conditioned license signed by Dr. Henry.

KATHLEEN A. KOBBERMANN, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

DR. STANISLAV KRUGLIKOV

On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

GAYLE C. LEEN, P.A.

On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

HANNAH M. LELUGAS, R.T.

On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

CRESTON M. MARTIN, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for voluntary surrender of license signed by Dr. Martin. Dr. Berge recused.

CAROLYN S. MCDONALD, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License. Dr. Willett abstained.

PAUL F. PATTEE, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for reprimand and conditioned license signed by Dr. Pattee.

DEBRA A. ROBERTS, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Stipulation and Order for Indefinite Suspension signed by Dr. Roberts.


PHUC V. TRAN, M.D.

On recommendation of the Complaint Review Committee, the Board approved the Order of Unconditional License.

Andrew R. Wentzel, M.D.

On recommendation of the Licensure Committee, the Board approved the Stipulation and Order for conditioned and restricted license signed by Dr. Wentzel.

There being no further business, the meeting was adjourned.



V. John Ella, J.D.
Secretary
MN Board of Medical Practice

October 29, 2014
Date